

**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR CURTAIN DESTRUCTOR - OPEN BURNING PERMIT #**

Permission to conduct open burning is hereby granted to:

At the following location(s):

Mailing Address:

Telephone Number/Fax Number:

By the Director of the Arizona Department of Environmental Quality (ADEQ) subject to the following conditions:

1. Types of material you are allowed/not allowed to burn.

- a. You are permitted to burn only brush and cut trees up to 6 inches diameter;
[A.A.C.R18-2-101.8]
- b. Types of material you are not to burn with the Air Curtain Destructor – Open Burning Permit:
[A.A.C.R18-2-602.A.13]

ALL PLASTIC MATERIALS SUCH AS: -bottles for household chemical -grocery and retail bags	POISON OAK ASBESTOS	POLYESTER THERMAL INSULATION
WASTE PETROLEUM PRODUCTS: -waste crankcase oil -transmission oil -used oil -oil filters	POISON IVY POISON SUMAC OLEANDER	TIRES ELECTRICAL WIRE INSULATION BATTERIES
HAZARDOUS MATERIAL CONTAINERS THAT CONTAINED: -pesticides -lead compounds -cadmium compounds -mercury compounds -arsenic compounds	AEROSOL SPRAY CANS FLAMMABLE LIQUIDS ANTIFREEZE	HAZARDOUS WASTE PRODUCTS -paints -pesticides -cleaners -stains and varnishes
EXPLOSIVES OR AMMUNITION	ASPHALT SHINGLES	TAR PAPER

2. When does your Burn Permit expire? [A.A.C.R18-2-602.D.2]

Your burn permit is valid until:

3. When can you Burn? [A.A.C.R18-2-602.D.3.c]

You are only allowed to burn during the following periods:

- a. Start igniting no earlier than one hour after sunrise; and
- b. Fire must be extinguished two hours before sunset.

4. The types of Emission Reduction Techniques (ERTs) you will be utilizing to minimize emissions from the fire? [A.A.C.R18-2-602.A.8]

- ☐ Minimize the material to be burned;
- ☐ Prevent fire from spreading by lining the area where open burn is conducted and application of fire retardant foam, or water;
- ☐ Allow the material to dry before burning;
- ☐ Minimize soil content in slash piles by constructing piles under dry soil conditions or by using hand piling methods;
- ☐ Extinguish the smoldering burns;
- ☐ Burn before litter falls;
- ☐ Burn prior to precipitation.

5. How can you burn?

- a. You are permitted to only burn materials in an earthen trench or refractory-lined pit or bin; [A.A.C.R18-2-101.8]
- b. You may not operate the air curtain destructor such that smoke, fumes, gases, particulate matter, or other gas-borne material exceed 20 percent opacity as determined in accordance with EPA Reference Method 9; [A.A.C.R18-2-704.A]
- c. You are exempted from the opacity requirement in condition 5.b above only during the following conditions: [A.A.C.R18-2-704.D.2]
 - i. Building a new fire, but only for a period that is not to exceed 60 minutes, once each day; or
 - ii. An upset in operations, not to exceed three minutes in any 60 minute period.
- d. You may not operate the air curtain destructor within 500 feet of any dwelling; [A.A.C.R18-2-704.C]
- e. You may not charge the air curtain destructor with more than 49.6 tons of material in any single day; and [A.A.C.R18-2-306.01]
- f. You may not operate the air curtain destructor at any industrial or commercial facility that produces, manufactures, supplies, exchanges, buys, or sells goods or services. [A.A.C.R18-2-306.01]

6. Do you have to report the Open Burning activities to ADEQ? [A.A.C.R18-2-304.H,-602.D.3.f, & -704.E]

You must fill out the 'Reporting form' on Page 5 and 'Certification of Truth, Accuracy, and Completeness' on Page 6 of this Permit and return it to ADEQ by March 31. You must include

the requested information in regard to all open burning that you have conducted during the previous calendar year.

7. Do you have any additional responsibilities?

- a. You must notify the local fire fighting agency or private fire protection service provider, if the service provider is a delegated authority, prior to operation of the air curtain destructor. Such agency may require you to obtain a permit from them before being allowed to burn and may prohibit operation of the air curtain destructor during periods of smoke dispersion, excessive visibility impairment, or during periods of extreme fire danger. In the case that there is no fire fighting agency for the area where the burn will be conducted, you shall contact the State Forester. [A.A.C.R18-2-602.D.3.g]
- b. You may not operate the air curtain destructor when any air stagnation advisory, as issued by the National Weather Service, is in effect in the area of the burn or during periods when smoke can be expected to accumulate to the extent that it will significantly impair visibility in Class I areas. [A.A.C.R18-2-602.D.3.m]
- c. You may not operate the air curtain destructor when any stage air pollution episode is declared under R18-2-220, Air Pollution Emergency Episodes. [A.A.C.R18-2-602.D.3.n]
- d. You may operate the air curtain destructor only during wind conditions which prevent dispersion of smoke into populated areas, do not cause visibility impairment on traveled roads or airports to the extent that a safety hazard results, do not create a public nuisance, and do not cause uncontrollable spreading of fire. [A.A.C.R18-2-602.D.3.d]
- e. You may be required by the Director or the Director's assignee to extinguish or abstain from operating the air curtain destructor during periods of inadequate smoke dispersion, excessive visibility impairment or at other times when public health or safety could be adversely affected. [A.A.C.R18-2-602.D.3.o]
- f. Do not start the air curtain destructor and leave. You must be present at all times when operating the air curtain destructor until the fire is completely extinguished. You may be responsible for any damages caused by a fire started by the open burning. You may be subject to civil penalties from damages caused by the operation of the air curtain destructor. [A.A.C.R18-2-602.D.3.i]
- g. You must have available any necessary equipment (i.e. water supply, water hose, shovel, sand, front end loader, backhoe, etc.) to control the burn and to shut down the air curtain destructor if the need arises. [A.A.C.R18-2-602.D.3.j]
- h. You must have a copy of this permit on-site during open burning, to show that you have authorization to operate the air curtain destructor. [A.A.C.R18-2-602.D.3.l]
- i. This permit shall not be construed to relieve you from liability from resulting damages or the obligation to comply with other applicable laws, regulations, or ordinances. You are responsible to comply with federal, state, county and/or local fire restrictions in place for the area where the burn will be conducted. [A.A.C.R18-2-602.B]

8. A.R.S. §13.1706. Burning of wildlands; exceptions; classification

[A.R.S. §13.1706 & A.A.C.R18-2-602.B]

- a. It is unlawful for any person, without lawful authority, to intentionally, knowingly, recklessly or with criminal negligence to set or cause to be set on fire any wildland other than the person's own or to permit a fire that was set or caused to be set by the person to pass from the person's own grounds to the grounds of another person.
- b. This section does not apply to any of the following:
 - i. Open burning that is lawfully conducted in the course of agricultural operations.
 - ii. Fire management operations that are conducted by a political subdivision.
 - iii. Prescribed or controlled burns that are conducted with written authority from the state forester.
 - iv. Lawful activities that are conducted pursuant to any rule, regulation or policy that is adopted by a state, tribal or federal agency.
 - v. In absence of a fire ban or other burn restrictions to a person on public lands, setting a fire for purposes of cooking or warming that does not spread sufficiently from its source to require action by a fire control agency.
- c. A person who violates this section is guilty of an offense as follows:
 - i. If done with criminal negligence, the offense is a Class 2 misdemeanor;
 - ii. If done recklessly, the offense is a Class 1 misdemeanor;
 - iii. If done intentionally or knowingly and the person knows or reasonably should know that the person's conduct violates any order or rule that is issued by a governmental entity and that prohibits, bans, restricts or otherwise regulates fires during periods of extreme fire hazard, the offense is a Class 6 felony.
 - iv. If done intentionally and the person's conduct places another person in danger of death or serious bodily injury or places any building or occupied structure of another person in danger of damage, the offense is a Class 3 felony.

Nancy C. Wrona
Director, Air Quality Division
Arizona Department of Environmental Quality
(602) 771-2308

Date:

**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REPORTING FOR AIR
CURTAIN DESTRUCTOR OPEN BURNING PERMIT #**

Name of the Permittee:

Mailing Address of the Permittee:

Physical Address where the air curtain destructor was operated (i.e. street address, latitude and longitude or legal location to the nearest section):

Date When Air Curtain Destructor Was Operated	Time Operation Commenced	Time Operation Ceased	Type of Material Burned (e.g. Wood Waste or Slash Materials)	Quantity of the Material Burned (e.g. Charging Rate)

Please mail this form to the permit issuing agency (ADEQ or delegated fire department).

Attach additional sheets, if necessary.

Arizona Department of Environmental Quality
1110 W. Washington Street, 3415A-3
Phoenix, Arizona 85007



CERTIFICATION OF TRUTH, ACCURACY, AND COMPLETENESS
Arizona Administrative Code R18-2-304.H

R18-2-304.H. Certification of Truth, Accuracy, and Completeness. Any application form, report, or compliance certification submitted pursuant to this Chapter shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this Article shall state that, based on information and belief formed after reasonable inquiry, the statement and information in the document are true, accurate, and complete.

By my signature I, _____ hereby certify that based on information and belief formed after reasonable inquiry, the statements and information in this document are true, accurate, and complete. I also acknowledge that all information not identified by me as confidential shall be treated by the Arizona Department of Environmental Quality as a public record.

Name (Print/Type): _____

(Signature): _____ Date: _____